

REMARKS:

- 1) Entry of this Response after Final is respectfully requested. This Response does not raise any new issues or require further search or consideration, because it **merely cancels rejected claims, so that only allowed claims 1 to 4 remain.** Thus, entry of this Response after Final is appropriate, and is respectfully requested.
- 2) Referring to item 10) of the Office Action Summary, the Examiner is respectfully requested to approve the Formal Drawings originally filed with this application on March 1, 2002.
- 3) Referring to pages 2 to 3 of the Office Action, the rejection of claims 5 to 11 under 35 U.S.C. §112 first paragraph has been obviated by the cancellation of claims 5 to 11.
- 4) Referring to the middle of page 4 of the Office Action, the allowance of claims 1 to 4 is appreciated. As only claims 1 to 4 remain, the application should now be in allowable condition.
- 5) Referring to pages 4 to 5 of the Office Action, please consider the following "Comments on Statement of Reasons for Allowance". The Examiner's discussion of the Yoshimura et al. reference seems to have an error in the placement of a decimal point. Namely, Yoshimura et al. disclose an atomic ratio of 0.01 to 0.20 of boron relative to manganese, which corresponds to an atomic percentage of 1 to 20 at.%. When converted to a

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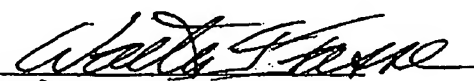
weight percentage, this corresponds to a boron content of 0.2 to 4 wt.% relative to manganese, which overlaps the presently claimed range. Nonetheless, more importantly, Yoshimura et al. do not disclose the presently claimed boron-containing manganese dioxide material for a positive electrode that is characteristic of a primary battery as acknowledged by the Examiner at the middle of page 4 of the Office Action. Since the references cited by the Examiner in the first Office Action also do not disclose or suggest the inventive features in this regard, even a combination of Yoshimura et al. with the other references would not have made the present invention obvious.

- 6) Favorable reconsideration and allowance of the application, now including only allowed claims 1 to 4, are respectfully requested.

Respectfully submitted,


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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (703) 872-9306 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

 3/17/05
Name: Walter F. Fasse - Date: March 17, 2005

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